

FEB 24 2004

#12  
P. DeLoach  
02/24/04

Practitioner's Docket No. RA998-040

OFFICIAL PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of** : **Date: Feb. 24, 2004**  
**B. Buchanan, et al.** : **IBM Corporation - IP Law 9CCA/B002**  
**Serial No. 09/330,743** : **P.O. Box 12195**  
**Filed: June 11, 1999** : **Research Triangle Park,**  
**For: Data Alignment Compensator** : **North Carolina 27709**  
 : **Customer Number 25299**  
 : **Unit: 2667**  
 : **Examiner: Andrew M. Waxman**

**Attn: AFTER FINAL**  
**Commissioner for Patents**  
**Alexandria, VA 22313-1450**

## CERTIFICATION OF FACSIMILE TRANSMISSION CFR 1.8(a)

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (703)872-9306 on the date shown below:

## 1. NOTICE OF APPEAL with Fee - in Duplicate (4 pages)

Faxied By: Karen Orzechowski

FEBRUARY 24, 2004

Date

Karen Orzechowski

Signature

\*\*\*\*\*  
**PLEASE DELIVER TO US PATENT OFFICE GROUP UNIT 2667 - FOR EXAMINER Andrew Waxman -**  
**FAX 703-872-9306 / PHONE 703-305-8086**

TRANSMITTED FROM: Mr. JOSCELYN G. COCKBURN, Attorney (Josh) IBM CORPORATION  
 Intellectual Property Law Dept. 9CCA/Bldg. 002-2  
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S/N 09/330,743

OFFICIAL

PATENT  
Atty. Docket No. RA9-98-040**CERTIFICATE OF FACSIMILE (37 C.F.R. 1.8(a))**

I hereby certify this correspondence is being faxed to the  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at  
Fax No. 703-872-9306 on February 24, 2004,  
by Karen Orzechowski Signature: *Karen Orzechowski*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re application of: Brian Buchanan, et al****Serial No.: 09/330,743****Filed: June 11, 1999****For: DATA ALIGNMENT COMPENSATOR****Group Art Unit: 2667****Examiner: Waxman, Andrew**

**NOTICE OF APPEAL**  
**FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS**

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**Sir:**

**Applicant hereby appeals to the Board of Appeals from the decision  
dated November 24, 2003, of the Primary Examiner finally rejecting claims 11-25.**

**The item(s) checked below are appropriate:**

S/N 09/330,743

**PATENT**  
**Atty. Docket No. RA9-98-040**

1.  **No extension of time is required.**
2.  **This Notice of Appeal filing is a timely response to the final rejection.**
3.  **The fee of \$330.00 is**

**Enclosed.**

**Not required. (Fee paid in prior appeal.)**

**Charged to Deposit Account No. 09-1990. The Commissioner is authorized to charge payment of any additional fees or to credit any overpayment to the designated Deposit Account. A duplicate copy of this sheet is enclosed.**

Date: February 24, 2004

Respectfully submitted,

By Joscelyn G. Cockburn  
Joscelyn G. Cockburn,  
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